

**From:** Scott Brylow  
**To:** Microsoft ATR  
**Date:** 1/27/02 3:49am  
**Subject:** Microsoft Settlement

Hi folks,

I'm a computer professional who started a web development company in 1994. I have run engineering organizations with multi-million dollar budgets. I consult for companies with software problems and help them select vendors and solutions to address their business needs. And I'm disappointed with the current PFJ in the Microsoft antitrust trial.

I have been doing a fair amount of reading and thinking on the problem, but not as much as many folks out there, so what I have to say will be compiled from a number of chats with friends. What I can tell you is that in my professional experience, Microsoft has not provided winning technology solutions - they have provided winning business solutions that can sometimes hold their own in a technological arena. By virtue of the results of the trial, it is clear that at least some of those successes were due to clear antitrust law violations. Poor technology choice presents a great risk to the large number of businesses out there who are more dependent on information technology (IT) than ever before. It's a huge economic risk in the field that is arguably a significant economic engine for our country.

In that case, it is critical for the economic security of this country that Microsoft not be left in a position to continue their anti-competitive behavior.

One strikingly visible difficulty with the proposed remedy is the lack of provision for free software vendors to gain relief from the monopolistic behavior of Microsoft. In my experience as a technology professional, I know that these products, whatever their source, have now earned a place in the IT platform of many large companies. Ask IBM and HP, users of Linux. As the many WWW sites using Apache as a web server or Perl to run scripts. And there are many more similar open source products used throughout the enterprise - sendmail, samba, jakarta, etc.

Please, please reconsider the sections of the proposed remedy (esp. sections III D and III J 2) and strengthen them to ensure that the open source community - providers of some extremely competitive software available for many specific tasks that either competes directly with Microsoft (Apache is the strongest competitor to their IIS webserver) or acts as an ISV working off Microsoft interfaces and at risk under the proposed remedy for that reason (e.g. samba).

Thank you for your hard and positive work to date. I urge you to complete the difficult task of crafting a remedy with the same thoroughness you

brought to the prosecution of the case to date.

Thank you for your time.

Regards,  
Scott M. Brylow  
Independent Technology Management Consultant